



Sierra Grande Broadcasting
3400 Rowland
Hutchinson, Kansas 67502-1324

June 27, 2005

Federal Communications Commission
Audio Division
Media Bureau
445 Twelfth Street, S. W.
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

Petition for Rule Making

I hereby petition the Federal Communications Commission to amend 47 CFR 73.202(b)

Table of FM Allotments.

Aurora, Utah	Add 233C,
Salina, Utah	Delete 233C
	Add 224C3.

The Federal Communications Commission granted my petition for a Salina FM allotment effective January 29, 2004¹. In lieu of my petitioned Salina, Utah 276C, I was granted Salina, Utah 233C. I had been granted what I asked for. A Class C allotment that I could build in the mountain range to the east of Salina.

On April 29, 2005 I was driving east through the Salina area. I was planing on building the FM transmitter site on Mount Terrill. On the west side of Salina, I could still see Mount Terrill. As I traveled east, I noticed that I could no longer see Mount Terrill. The City of Salina has foothills on its immediate east and southeast. This meant that I had a major terrain obstruction between the mountains and the City of Salina.

¹ The October 1, 2004 edition of 47 CFR lists Salina, Utah 279A instead of Salina, Utah 233C.

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On June 21, 2005, I was back in the area to look for another transmitter site, and / or a change in the community of license. In looking at my maps I had decided on a 10,984' peak east-northeast of Salina as the possible transmitter site. I could only see the peak on the west side of Salina. I decided that I needed to change the community of license for the Class C allotment.

Aurora, Utah is west of the Sevier River on Utah Highway 256. Aurora is the only community on Utah Highway 256. Aurora is located four miles southwest of Salina. Aurora was first settled in 1875 by people from Provo. An earlier name was *Willow Bend* because the community was on a bend of the Sevier River, and the area was covered with willows. This name was rejected by the post office, as they felt that the name *willow* was being overused. Numan Van Leuvan suggested the name *Aurora* because of the colorful tints of the surrounding hills. It reminded him of the Roman goddess of the dawn. The name change took place of August 2, 1897, and subsequently Van Louvan was made the postmaster.

Aurora, Utah had a population of 947 people during the 2000 census. There was 303 households, and 269 families. The Zip code is 84620. The median income per household, in 2000, was \$44,911, and the median income per family was \$50,000.

An internet business directory listed businesses categories in Aurora: Antiques, Auto repair, Body shop, Service station, Towing, Truck repair, Builders and contractors, Dry wall contractors, Paving contractors, and Welding services.

While I was driving through Aurora, I saw one church (there was no sign to say what the church was), two trucking companies, an automobile repair shop, an automobile body repair shop, a city park with a baseball field and a multi purpose field, a cemetery, an Aurora police department car, and an antique shop, I saw an unmarked building that looked like a fire station,

and I saw signs pointing to the Municipal Judge and to the city offices. While I did see some older buildings, most of the community had very new buildings. I did not see a school, or a bank. On my map, the nearest symbol for a school is in Salina.

While it is my intention to build the 233C transmitter site in the mountains to the east, my engineering spreadsheet shows that the transmitter site could be built at Aurora. The Salina, Utah 233C could have been built at Salina. Because of the mountainous surroundings, to build a tall tower would have been a waste of my money.

I will point out that at 70 kW ERP @ 350 m HAAT, KVFX is a grandfathered Class C allotment. Their 60 dBμ contour is 72 km. Their protected grade contour is the same as a maximum facility Class C1 or a minimum facility Class C0 FM station. KVFX has been granted more protection than it should have. If KVFX does not upgrade their facilities, to Class C, I may consider using the present transmitter site of KLGL (Richfield, Utah 248C) for the Salina, Utah 233C transmitter site. This is assuming that the Federal Communications Commission does not grant my request to change the city of license for the 233C FM allotment.

It has been my intention to have Salina, Utah as a community of license. I wanted the big FM station to have Salina as its community of license. While I had noticed the foothills on the east and southeast side of Salina since I started traveling through the area in 1989. I had not thought about them blocking the view of the east mountain range from much of the community. Before I had petitioned the FCC for a FM allotment, I had seen where a construction permit was granted for a Salina AM radio station. I do not think that the AM station was ever built. I think that the construction permit was for a 1 kW-U on 1450 kHz.

For the Salina, Utah 224C3, the only restriction comes from the Mona, Utah 225A FM

allotment.. The Mona, Utah 225A FM allotment comes from a petition from Mountain West Radio. At least two of Mountain West Radio granted FM allotments was a part of the recent *Auction 37*, and Mountain West Radio was not the winning bidder for either for the Center, Colorado 287A, nor the Dinosaur, Colorado 247C1 FM allotments. In looking at Auction 37, I could not see that Mona, Utah 225A was a part of the auction. I looked for an alternate for the Mona, Utah 225A, but I could not find any possible alternate allotment.

KXFF is moving to 221C, by way of MB Docket No. 02-12. Once KXFF has started operations on 221C, I would have the potential to upgrade the Salina, Utah 224C3 proposal to Salina, Utah 224C2.

Due to the Mona, Utah 225A FM allotment, I do not foresee the proposal from Millcreek Broadcasting (MB Docket No. 04-427), for Wellington, Utah, as ever being a factor for my proposal of Salina, Utah 224. If I do upgrade to 224C2, I plan to be using Cedar Mountain for my transmitter site.

To the best of my knowledge, the information contained in this document is correct. As the grantee of the Salina, Utah 233C FM allotment, I have already committed myself to bidding for the 233C FM allotment. If the changes, that I have requested here, are granted, I will bid on the changes that I have requested.



Willison H. Gormly

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)

Amendment of Section 73.202(b),)

Table of Allotments,)

FM Broadcast Stations)

(Salina, Utah))

MB Docket No. 02-166

RM-10478

REPORT AND ORDER
(Proceeding Terminated)

Adopted: December 12, 2003

Released: December 16, 2003

By the Assistant Chief, Audio Division.

1. At the request of Sierra Grande Broadcasting, the Audio Division has before it the *Notice of Proposed Rule Making* in this proceeding proposing the allotment of Channel 276C to Salina, Utah.¹ Millcreek Broadcasting, L.L.C. filed Comments and Reply Comments. Sierra Grande Broadcasting filed Comments. We are allotting alternate Channel 233C to Salina, Utah.² In addition to facilitating a resolution of MM Docket No. 02-14, this will provide Salina, an incorporated community of 2,393 persons, with a first local service.

2. Accordingly, pursuant to authority contained in Sections 4 (i), 5(c)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, **IT IS ORDERED**, That effective January 29, 2004, the Table of FM Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>Community</u>	<u>Channel No.</u>
Salina, Utah	233C

3. A filing window for the Channel 233C allotment at Salina, Utah, will not be opened at this time. Instead, the issue of opening the allotment for auction will be addressed by the Commission in a subsequent Order.

4. **IT IS FURTHER ORDERED**, That this proceeding IS TERMINATED.

¹ Salina, Utah, 17 FCC Rcd 12824 (MB 2002)

² The reference coordinates for the Channel 233C allotment at Salina, Utah, are 38-52-24 and 111-51-33.

5. For further information concerning this proceeding, contact Robert Hayne, Media Bureau, (202) 418-2177. Questions related to the application filing process should be directed to the Audio Services Division, Media Bureau, (202) 418-2177.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief, Audio Division
Media Bureau

**Sierra Grande Broadcasting
Proposed 233C FM allotment
Aurora, Utah**

City of License	State	Call Sign	Channel	Class	Latitude				Middle latitude		Longitude			
					Degrees	Minutes	Seconds	Decimal	Degrees	Radians	Degrees	Minutes	Seconds	Decimal
Aurora	Utah	Proposed allotment	233	C	38	57	30	38.958	38.9583	0.68	111	51	18	111.86
<u>Co-channel</u>														
Caliente	Nevada	New	233	C	37	14	37	37.244	38.101	0.665	114	36	1	114.6
Logan	Utah	KVFX	233	C	41	53	50	41.897	40.4278	0.7056	111	57	39	111.96
<u>First adjacent channels</u>														
Roosevelt	Utah	KXRQ	232	C2	40	31	15	40.521	39.7396	0.6936	109	42	25	109.71
Roosevelt	Utah	KXRQ	234	C2	40	19	55	40.332	39.6451	0.6919	109	42	28	109.71
<u>Second adjacent channels</u>														
<u>Third adjacent channels</u>														
<u>Image channels</u>														

Sierra Grande Broadcasting Proposed 233C FM allotment Aurora, Utah

Call Sign	Kilometers per degree latitude	Kilometers per degree longitude	North South distance km	East West distance km	Distance km	Required seperation km	Direction degrees	Remarks
Proposed allotment	111.0125	86.67941	0	0	0		0	
New KVFX	110.99602 111.04099	87.7141 84.86086	190.32734 326.33713	240.79957 8.98111	306.93 326.46	290 290	238.01 357.94	70 kW ERP @ 350 m HAAT
KXRQ KXRQ	111.02761 111.02578	85.7196 85.83649	173.48064 152.50625	184.13046 184.31002	252.98 239.22	188 188	53.97 57.39	Construction permit

Sierra Grande Broadcasting Proposed 224C3 FM allotment Salina, Utah

City of License	State	Call Sign	Channel	Class	Degrees	Latitude			Middle latitude		Longitude			
						Minutes	Seconds	Decimal	Degrees	Radians	Degrees	Minutes	Seconds	Decimal
Salina	Utah	Proposed allotment	224	C3	38	57	30	38.958	38.9583	0.68	111	51	18	111.86
Salina	Utah	City			38	57	30	38.958	38.9583	0.68	111	51	18	111.86

Co-channel

First adjacent channels

Cedar City	Utah	KXFF	223	C	37	38	41	37.645	38.3015	0.6685	113	22	28	113.37
Wellington	Utah	MB Docket No. 04-427	233	A	39	36	36	39.61	39.2842	0.6856	110	48	52	110.81
Wellington	Utah	MB Docket No. 04-427	223	C3	39	32	21	39.539	39.2488	0.685	110	43	58	110.73
Mona	Utah	MB Docket No. 99-128	225	A	39	46	39	39.778	39.3679	0.6871	111	51	41	111.86

Second adjacent channels

Third adjacent channels

Image channels

Sierra Grande Broadcasting Proposed 224C3 FM allotment Salina, Utah

Call Sign	Kilometers per degree latitude	Kilometers per degree longitude	North South distance km	East West distance km	Distance km	Required seperation km	Direction degrees	Remarks
Proposed allotment	111.0125	86.67941	0	0	0		0	
City	111.0125	86.67941	0	0	0	< 23	0	
KXFF	110.99987	87.47382	145.81066	132.91161	197.3	177	229.16	MB Docket No. 02-12
MB Docket No. 04-427	111.01879	86.28106	72.34724	89.78024	115.3	89	57.94	
MB Docket No. 04-427	111.01811	86.3245	64.48302	96.87527	116.37	99	62.64	
MB Docket No. 99-128	111.02041	86.17822	90.94422	0.55058	90.95	89	359.55	